

James David Jacobs (JJ-7351)

BAKER & McKENZIE

805 Third Avenue

New York, New York 10007

(212) 751-5700

Attorneys for Defendant Oberthur Card Systems, S.A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,)

)
Plaintiff and Counterclaim Defendant,)

)
vs.)

)
OBERTHUR CARD SYSTEMS, S.A.,)

)
Defendant and Counterclaim Plaintiff.)

04 Civ. 02496 (CM)(LMS)

**DECLARATION OF
JAMES DAVID JACOBS**

James David Jacobs declares as follows:

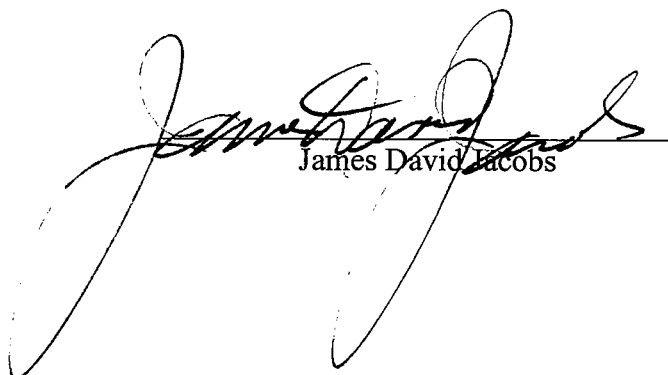
I am a member of the Bar of this Court and a partner in the firm of Baker & McKenzie LLP, attorneys for the Defendant and Counterclaim Plaintiff, Oberthur Card Systems, S.A. ("Oberthur"). In support of Oberthur's Markman brief, I am submitting true and correct copies of the following documents, attached as Exhibits hereto:

1. U.S. Patent No. 5,817,207 (the "'207 Patent").
2. U.S. Patent No. 6,036,099 (the "'099 Patent").
3. U.S. Patent No. 6,214,155 (the "'155 Patent").
4. U.S. Patent No. 6,514,367 (the "'367 Patent").
5. Provisional Patent Application No. 60/005,685.
6. File wrapper for U.S. Patent No. 5,817,207.
7. File wrapper for U.S. Patent No. 6,036,099.

8. File wrapper for U.S. Patent No. 6,214,155.
9. File wrapper for U.S. Patent No. 6,514,367.
10. Document comparison of U.S. Patent Nos. 5,817,207 and 6,036,099. All of the document comparisons attached hereto were generated in the same way. We downloaded from the USPTO web site the respective patents, ran the downloaded patents through a computer program that stripped the files of all HTML tags and compared the resulting files using the commercially available Delta View program.
11. Document comparison of U.S. Patent Nos. 5,817,207 and 6,214,155.
12. Document comparison of U.S. Patent Nos. 6,036,099 and 6,514,367
13. Document comparison of U.S. Patent Nos. 5,817,207 and 6,514,367.
14. Definitive List Of Claims To Be Construed By The Court.
15. U.S. Patent No. 4,450,024
16. Provisional Patent Application No. 60/024,255

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 5, 2004.



James David Jacobs